

AMENDED IN SENATE APRIL 20, 2005

SENATE BILL

No. 867

Introduced by Senator Alarcon

February 22, 2005

An act to amend Sections 41505, 41510, 41530, 41540, and 41570 of the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 867, as amended, Alarcon. Education finance.

Existing law establishes the pupil retention block grant, the school safety consolidated competitive grant, the professional development block grant, the targeted instructional improvement block grant, and the school and library improvement block grant, for the purposes of apportioning block grant funds, composed of funding from and for specified existing categorical education programs.

This bill would state the intent of the Legislature, and make various findings and declarations, regarding those grants, and the programs that are funded by those grants.

~~Existing law establishes various categorical education programs under which funding is provided for specific educational purposes.~~

~~This bill would declare the intent of the Legislature to enact legislation to establish block grants to be composed of funding for categorical education programs.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to enact legislation to establish block grants to be composed of funding for categorical education programs.~~

SECTION 1. Section 41505 of the Education Code is amended to read:

41505. (a) There is hereby established the pupil retention block grant. Commencing with the 2005–06 fiscal year, the Superintendent of Public Instruction shall apportion block grant funds to a school district in the same relative statewide proportion that the school district received in the 2003–04 fiscal year for the programs listed in Section 41506.

(b) A school district may expend funds received pursuant to this article for any purpose authorized by the programs listed in Section 41506 as the statutes governing those programs read on January 1, 2004.

(c) For purposes of this article, “school district” includes a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41506. The block grant of a county office of education shall be based only on those programs for which it was eligible to receive funds in the 2003–04 fiscal year.

(d) (1) It is the intent of the Legislature that the programs contained in the pupil retention block grant be used to provide services to disadvantaged schools and pupils, especially those pupils who are at risk of failing to meet state-adopted standards or retention, as well as high-risk pupils who are in danger of not satisfactorily completing a high school diploma program, especially those pupils in urban and rural schools with high concentrations of children from low-income families and high dropout rates.

(2) The Legislature finds and declares that it has established the pupil retention block grant, its component programs, and many other categorical, optional, and alternative programs, in order to address the needs of high-risk pupils, and that it has established waivers for those provisions for the purpose of maximizing resources and coordinating programs.

(3) In recognition of the right of all youth to a free public education, and that a high percentage of the youth of this state

are in danger of not attaining a diploma, or its equivalent, it is the intent of the Legislature to increase the pupil holding power of schools through the effective coordination and promotion of existing categorical and apportionment programs, and to increase pupil holding power generated through improved attendance and increases in apportionment revenues.

SEC. 2. Section 41510 of the Education Code is amended to read:

41510. (a) There is hereby established the school safety consolidated competitive grant. Notwithstanding any other provision of law, commencing with the 2005–06 fiscal year, the Superintendent of ~~Public Instruction~~, in partnership with the Attorney General’s Office, shall distribute grant funds through a competitive process to school districts in order to carry out one or more of the purposes for which the programs listed in Section 41511 and Article 10.4 (commencing with Section 35294.10) of Chapter 2 of Part 21 were established, as the statutes governing those programs read on January 1, 2004. A grant may be made for up to a five-year period.

(b) If a school district has a school safety plan for each of the schools under its jurisdiction, a school district may expend funds received pursuant to this article subject to the parameters, conditions, or guidelines established by the Superintendent of ~~Public Instruction~~ and the Attorney General’s office for this purpose. For purposes of this article, a school safety plan may be integrated into any single plan developed by a school.

(c) For purposes of this article, “school district” includes a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41511. The block grant of a county office of education shall be based only on those programs for which it was eligible to receive funds in the 2003–04 fiscal year.

(d) (1) It is the intent of the Legislature to provide schools with the necessary assistance in carrying out their constitutional mandate to provide a safe environment within which to educate children, including assistance in ensuring safe passage for pupils to and from school, and in securing the school campus from criminal activity and disturbances.

(2) The Legislature finds and declares all of the following:

1 (A) The Legislature should do as much as possible to help
2 reduce the probability of youth involvement in gang activities,
3 help reduce high school dropout rates, help reduce violence
4 among pupils on and off school grounds, and engage in all
5 possible efforts to develop techniques for early identification of
6 at-risk youth.

7 (B) Many of the public schools of the state and their
8 surrounding communities are experiencing crime and violence to
9 a degree that makes it difficult for pupils and staff to feel safe.

10 (C) Gang violence has caused a tremendous strain on the
11 progress of the communities impacted. The loss of life, property,
12 and positive opportunity for growth caused by gang violence has
13 reached an intolerable level.

14 (D) Youth gang violence can be effectively reduced in
15 California schools through the involvement of parents, teachers,
16 school administrators, community organizations, and individuals
17 with first-hand knowledge of the problem.

18 (E) A strong and consistent relationship between home and
19 school would facilitate the learning process and inevitably help
20 control problems associated with gang violence.

21 (F) A school community policing approach to school safety,
22 modeled after community policing principles, offers an effective
23 strategy for using proactive problem-solving and school law
24 enforcement partnerships to address the causes of crime and fear
25 as well as other safe school issues in the school and its
26 surrounding community.

27 (G) Partnerships among schools, law enforcement, and their
28 communities, provide a positive support system for schools in
29 addressing safe school issues.

30 (3) It is the intent of the Legislature to promote collaboration
31 by partnerships between schools and law enforcement that would
32 result in strategic approaches to meet the unique needs of the
33 school community.

34 SEC. 3. Section 41530 of the Education Code is amended to
35 read:

36 41530. (a) There is hereby established the professional
37 development block grant. Commencing with the 2005–06 fiscal
38 year, the Superintendent of ~~Public Instruction~~ shall apportion
39 block grant funds to a school district based on the number of

certificated teachers employed by the school district in the immediately prior fiscal year.

(b) A school district may expend funds received pursuant to this article for any purpose authorized by the programs listed in Section 41531, as the statutes governing those programs read on January 1, 2004, if the school district provides each teacher of kindergarten or any of grades 1 to 6, inclusive, with opportunities to participate in professional development activities in reading language arts/English language development. In providing teachers of kindergarten and any of grades 1 to 6, inclusive, with opportunities to participate in professional development activities in reading language arts/English language development, a school district shall expend at least an amount that is equal to the proportion that funding calculated pursuant to Article 3 (commencing with Section 99230) of Chapter 5 of Part 65 bears to the statewide total amount of block grant funds appropriated for purposes of this article. For purposes of this article, professional development in reading language arts/English language development shall be equivalent in rigor to the professional development provided pursuant to Article 3 (commencing with Section 99230) of Chapter 5 of Part 65, as that article read on January 1, 2004.

(c) For purposes of this article, “school district” includes a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41531. The block grant of a county office of education shall be based only on those programs for which it was eligible to receive funds in the 2003–04 fiscal year.

(d) It is the intent of the Legislature that funds allocated pursuant to this article supplement, but not supplant, funding for staff development activities, and not limit the amount or type of staff development activities provided from other resources.

SEC. 4. Section 41540 of the Education Code is amended to read:

41540. (a) There is hereby established the targeted instructional improvement block grant. Commencing with the 2005–06 fiscal year, the Superintendent of ~~Public Instruction~~ shall apportion block grant funds to a school district in the same relative statewide proportion that the school district received in the 2003–04 fiscal year for the programs listed in Section 41541.

(b) If a school district is not in violation of a court order regarding desegregation, the school district may expend funds received pursuant to this article for any purpose authorized by the programs listed in Section 41541 as the statutes governing those programs read on January 1, 2004.

(c) For purposes of this article, “school district” includes a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41541. The block grant of a county office of education shall be based only on those programs for which it was eligible to receive funds in the 2003–04 fiscal year.

(d) It is the intent of the Legislature to provide equal educational opportunity for all children in the state.

SEC. 5. Section 41570 of the Education Code is amended to read:

41570. (a) There is hereby established the school and library improvement block grant. Commencing with the 2005–06 fiscal year, the Superintendent of ~~Public Instruction~~ shall apportion block grant funds to a school district in the same relative statewide proportion that the school district received in the 2003–04 fiscal year for the programs listed in Section 41571.

(b) (1) Except as specified in paragraph (2), a school district may expend funds received pursuant to this article for any purpose authorized by the programs listed in Section 41571, as the statutes governing those programs read on January 1, 2004.

(2) If a school district did not participate before January 1, 2004, in the school improvement program as set forth in Chapter 6 (commencing with Section 52000) of Part 28, the school district shall use grant funds received pursuant to this article for school library materials as set forth in Article 7 (commencing with Section 18180) of Chapter 2 of Part 11, as that article read on January 1, 2004.

(c) For purposes of this article, “school district” includes a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41571. The block grant of a county office of education shall be based only on those programs for which it was eligible to receive funds in the 2003–04 fiscal year.

(d) (1) It is the intent of the Legislature to encourage improvement of elementary, intermediate, and secondary

1 schools, to ensure that all schools can respond in a timely and
2 effective manner to the educational, personal, and career needs
3 of every pupil. The Legislature is committed to the belief that
4 schools should do all of the following:

5 (A) Recognize that each pupil is a unique human being to be
6 encouraged and assisted to learn, grow, and develop in his or
7 her own manner to become a contributing and responsible
8 member of society.

9 (B) Assure that a pupil achieves proficiency in mathematics
10 and English language, including reading, writing, speaking, and
11 listening.

12 (C) Provide a pupil with opportunities to develop skills,
13 knowledge, awareness, and appreciation of a wide variety of
14 aspects of the curriculum other than mathematics and English
15 language, including arts and humanities; physical, natural, and
16 social sciences; physical, emotional, and mental health;
17 consumer economics; and career education.

18 (D) Assist a pupil to develop esteem of self and others,
19 personal and social responsibility, critical thinking, and
20 independent judgment.

21 (E) Provide a range of alternatives in instructional settings
22 and formats to respond adequately to the different ways
23 individual pupils learn.

24 (F) Maintain a school-wide process for the involvement of
25 parents in a way that is broadly reflective of the socio-economic
26 composition of the school attendance area, principals, teachers,
27 other school personnel, pupils attending secondary schools, and
28 members of the community in the development of school
29 improvement plans.

30 (2) It is the intent of the Legislature to support the efforts of a
31 participating school to improve instruction, auxiliary services,
32 school environment, and school organization, in order to meet
33 the needs of each pupil at that school.

34 (3) (A) It is the intent of the Legislature to provide for
35 on-going comprehensive evaluation of school improvement
36 programs established pursuant to this article, and staff
37 development programs and school resource centers established
38 pursuant to Chapter 3.1 (commencing with Section 44670) of
39 Part 25.

- 1 *(B) It is the intent of the Legislature to design that evaluation*
2 *to provide the Legislature, the State Board of Education, the*
3 *Superintendent, and program administrators, with the*
4 *information necessary to do both of the following:*
5 *(i) Refine and improve policies, regulations, guidelines, and*
6 *procedures on a continuing basis.*
7 *(ii) Assess the overall merits of school improvement efforts.*